GOVERNMENT OF ANDHRA PRADESH

ABSTRACT

Forest Department - Diversion of 522.321 Ha. of forest land for AVR HNSS Project – Phase-II, Main Canal from Km.256.5 to 452.8, Punganur Branch Canal K.M.33.6 to 37.4 and Cherlopalli Reservoir, in favour of Engineer-in-Chief, Telugu Ganga Project, Srikalahasti, Chittoor District - Permission accorded - Orders - Issued.

ENVIRONMENT, FORESTS, SCIENCE & TECHNOLOGY (Section. II) DEPARTMENT

G.O Ms. No.53
Dated:1-7-2015.

Read the following:-

1. From PCCF, A.P, Hyderabad, Lr.Rc.No. 41621/2008/F1, Dated.27-2-2013
2. State Govt. Lr.No.1563/For.I (1)/2013, Dated. 23 -03-2013.
3. From GoI, MoEF&C.C, Lr.No. 8-31/2013-FC, Dt: 17-12-2013.
4. State Govt. letter No. 1563/For.I (1)/2013, Dated. 28 -02-2015.
5. From GoI, MoEF& C.C, Lr.No.8-31/2013-FC, Dt: 25-5-2015.

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ORDER:

The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Hyderabad in his letter 1st read above, has submitted a proposal under Forest (Conservation) Act, 1980, for diversion of 522.321 Ha. of forest land for AVR HNSS Project – Phase-II, Main Canal from Km.256.5 to 452.8, Punganur Branch Canal K.M.33.6 to 37.4 and Cherlopalli Reservoir, in favour of Engineer-in-Chief, Telugu Ganga Project, Srikalahasti, Chittoor District, and requested to forward the same to Government of India, Ministry of Environment, Forests & Climate Change, for according necessary approval under Section-2 of Forest (Conservation) Act, 1980.

2. The said proposal was sent to Government of India, Ministry of Environment, Forests & Climate Change, for their approval under Section-2 of Forest (Conservation) Act, 1980 vide State Government letter 2nd read above.

3. Government of India, , Ministry of Environment, Forests & Climate Change, vide their letter 3rd read above, have accorded their approval in-principle (Stage.I) under Section-2 of Forest (Conservation) Act, 1980, for the proposal, subject to compliance of certain conditions as stipulated therein.

4. The State Government vide letter 4th read above, have furnished compliance report on the conditions stipulated by the Government of India, Ministry of Environment, Forests & Climate Change, while according in-principle (Stage.I) approval. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh,

Hyderabad in his letter dated.13-5-2015 have furnished certain additional information as desired by the Government of India, Ministry of Environment, Forests & Climate Change.

5. Government of India, Ministry of Environment, Forests & Climate Change, in their letter 5th read above, have accorded their approval (Stage.II) under Section-2 of Forest (Conservation) Act, 1980, for diversion of 522.321 Ha. of forest land for AVR HNSS Project- Phase-II, Main Canal from Km.256.5 to 452.8, Punganur Branch Canal K.M.33.6 to 37.4 and Cherlopalli Reservoir, in favour of Engineer-in-Chief, Telugu Ganga Project, Srikalahasti, Chittoor District, subject to certain conditions as stipulated therein.

(Contd-2)

6. Government after careful examination of the proposal, hereby accord permission to the Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Hyderabad, for diversion of 522.321 Ha. of forest land for AVR HNSS Project, Phase-II, Main Canal from Km.256.5 to 452.8, Punganur Branch Canal K.M.33.6 to 37.4 and Cherlopalli Reservoir, in favour of Engineer-in-Chief, Telugu Ganga Project, Srikalahasti, Chittoor District, subject to the following conditions:-.

(i) Legal status of the diverted forest land shall remain unchanged.

(ii) Compensatory afforestation over the non -forest land, equal in extent to the forest land proposed to be diverted, shall be raised and maintained by the State Forest Department from funds already provided by the user agency;

(iii) The non-forest land transferred and mutated in favour of the State Forest Department shall be notified by the State Government as RF under section 4 or PF under Section 29 of the Indian Forest Act, 1927 or under the relevant Section (s) of the local Forest Act, 1927 latest within a period of six months from the date of issue of Stage -II approval. The Nodal Officer Shall report compliance in this regard along with a copy of the original notification declaring the non-forest land under Section 4 or Section 29 of the Indian Forest Act, 1927, as the case may be, within the stipulated period to the Central Government for information and record;

(iv) The State Government shall raise penal compensatory afforestation from the funds realized from the funds the user agency over degraded forest land, equal in extent to the area of non- forest land utilized for executing a part of the project pending receipt of prior approval of Central Government under the FC Act for diversion of forest land required for the project;

(v) The User Agency shall pay the additional amount of NPV, if so determined as per the final decision of the Hon'ble Supreme Court of India;

(vi) The User agency in consultation with the State Forest Department shall create and maintain alternate habitat / home for the avifauna whose nesting trees are to be cleared in this project. Bird nests artificially made out of eco-friendly materials shall be used in the area, including forest area and human settlements, adjoining the forest area being diverted for the project;

(vii) The User agency shall obtain the Environment Clearance as per the provisions of the Environmental (Protection) Act, 1986, if required;

(viii) The user agency shall undertake afforestation along periphery of the reservoir;

(ix) The State Government of the Andhra Pradesh and the user agency shall ensure that the trees available between full reservoir level (FRL) and FRl -4 meters are not felled;

(x) The user agency shall provide free water for the forestry related projects;

(Contd-3)

(xi) The State Government of the Andhra Pradesh and the user agency shall undertake Rehabilitation and Resettlement (R&R) of the project affected families, if any, in a time bound and transparent manner;

(xii) The user agency shall vacate the forest land to be occupied by over burden dumps, within two years from the date of completion of the construction of canal by removal / transfer of overburden to non – forest land and transfer back such forest land to the State Forest Department for re-afforestation from funds to be provided by the user agency;

(xiii) The layout plan of the proposal shall not be changed without the prior approval of the Central Government;

(xiv) No labour camp shall be established on the forest land;

(xv) User agency shall provide firewood preferably alternate fuel to the labourers and the staff working at the site so as to avoid any damage and pressure on the adjacent forest areas;

(xvi) Boundary of the forest land proposed to be diverted shall be demarcated on ground at the project cost, by erecting four feet high reinforced cement concrete pillars, each inscribed with its serial number, forward and back bearing and distance from pillar to pillar;

(xvii) Forest land shall not be used for any purpose other than that specified in the proposal;

(xviii) The user agency shall submit the annual self compliance report in respect of the above conditions to the State Government and to the concerned Regional office of the MoEF& C.C regularly;

(xix) Any other condition that the concerned Regional office of the MoEF& C.C, Chennai may stipulate, from time to time, in the interest of conservation, protection and development of forests & wildlife; and

(xx) The User agency and the State Government shall ensure compliances of Acts, Rules, Regulations and Guidelines, for the time being in force, as applicable to the project of and also compliances of conditions of Stage-I approval for which undertakings have been obtained from the user agency.

7. The Principal Chief Conservator of Forests & Head of Forest Force, Andhra Pradesh, Hyderabad is directed to take further necessary action in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

ASHWINI KUMAR PARIDA
SPECIAL CHIEF SECRETARY TO GOVERNMENT

To
The Principal Chief Conservator of Forests & Head of Forest Force,
Andhra Pradesh, Hyderabad.

Copy to:
The Inspector General of Forests, (FC)
Government of India, Ministry of Environment, Forests and Climate Change
Indira Paryavaran Bhavan, Aliganj, Jorbagh Road New Delhi -110 003

The Engineer-in-Chief, Telugu Ganga Project, Srikalahasti, Chittoor District
SF/SC

//FORWARDED::BY ORDER//

SECTION OFFICER